

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOHNNY MYERS,

Plaintiff,

vs.

PHILLIPS, et al.,

Defendants.

No. 1:20-cv-00535-NONE-GSA-PC

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS IN FULL  
(Doc. No. 14.)

ORDER DISMISSING CASE WITHOUT  
PREJUDICE FOR PLAINTIFF'S  
FAILURE TO COMPLY WITH COURT'S  
ORDER AND FAILURE TO PROSECUTE  
(Doc. No. 8.)

ORDER FOR CLERK TO CLOSE CASE

Johnny Myers ("plaintiff") is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 13, 2020, findings and recommendations were entered, recommending that this action be dismissed based on plaintiff's failure to comply with a court order and failure to prosecute. (Doc. No. 14.) Plaintiff was granted fourteen days in which to file objections to the findings and recommendations. (*Id.*) The fourteen-day time period has expired, and plaintiff has not filed objections or otherwise responded to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations issued on July 13, 2020, (Doc. No. 14), are  
3 adopted in full;

4 2. This action is dismissed, without prejudice, based on plaintiff's failure to  
5 comply with a court order and failure to prosecute; and

6 3. The Clerk of Court is directed to close this case.

7 IT IS SO ORDERED.

8 Dated: August 18, 2020

*Dale A. Drayd*  
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10 UNITED STATES DISTRICT JUDGE

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